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C O N F I D E N T I A L THE HAGUE 001049

SIPDIS

FROM AMBASSADOR SOBEL FOR DEPUTY SECRETARY ARMITAGE  
ALSO FOR P U/S GROSSMAN, G U/S DOBRIANSKY, AND EUR A/S  
JONES

E.O. 12958: DECL: 04/23/14  
TAGS: PREL KCRM PHUM KWMN NL  
SUBJECT: NETHER...

16331

2004-04-26

04THEHAGUE1049

Embassy The Hague

CONFIDENTIAL

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SUBJECT: NETHERLANDS AND THE TIP - TIER ONE

CLASSIFIED BY AMBASSADOR SOBEL. REASONS: 1.4 (B & D).

¶1. (C) Mr. Secretary: You will shortly receive for approval G/TIP's annual trafficking report that drops the Netherlands from Tier 1 to Tier 2. I understand that while A/S Beth Jones disagrees with this ranking, she has found it futile to continue to argue. Before you allow G/TIP's ranking of the Netherlands to stand, I want to give you my first hand view of the situation and the consequences.

¶2. (SBU) Last year over G/TIP's objections, you correctly placed the Netherlands in Tier 1. G/TIP and EUR then developed benchmarks for engaging the Dutch on TIP issues. So, where are we a year later?

- The TIP situation in the Netherlands has actually improved in every area specified by law: protection, prosecution and prevention. (We have provided all the details to the Department and have shared them with your staff.)

- The Dutch are committing substantial resources towards the fight against TIP and the Netherlands is one of the few countries that has a national rapporteur for trafficking.

- The Dutch championed the fight against TIP during their OSCE chairmanship and will do so in their upcoming EU presidency starting July First.

- They have worked cooperatively with us on every benchmark we have given them over the past year.

¶3. (C) The real issue seems to be the Dutch approach to prostitution. We don't like their social policies, but even G/TIP admits the causal link between legalization of prostitution and trafficking has not been proven. We have our view and the Dutch theirs - viewing legalization as an attempt to gain control of the problems involved with prostitution and crime, including trafficking in persons in the sex industry. But this is a different question than those set out in the law and not a basis for changing their tier rostition was just as legal here a year ago when they were ranked in Tier 1.

¶4. (C) Among other reasons, I am asking you to overrule G/TIP so the U.S. will be credible on TIP issues. For effective engagement with the Dutch on TIP, we must acknowledge their efforts, set clear guidelines and stick to them, then evaluate fairly according to the benchmarks. Anything less will undermine our credibility and Dutch desire to cooperate. Senior Dutch Justice and Foreign Ministry officials have already complained strongly about moving goalposts and an unfair process driven by ideology, not benchmarks.

¶5. (C) Mr. Secretary, the Dutch are hopping mad over this. I am concerned we are going to shoot ourselves, and this

relationship, in the foot. The indignity of an unjustified downgrade to Tier 2 -- and our inability to point to any criteria or performance that have changed for the worse -- is going to undermine the forceful public outreach we have been making to strengthen the alliance. The Dutch are extremely valuable allies to us, providing troops in Afghanistan and Iraq and supporting us on transatlantic and global issues. In the next month, the government faces a delicate vote in parliament over extending Iraq troop deployment and the MFA Political Director told me Friday that a decision to put the Netherlands in Tier 2 would be damaging and could not come at a worse time. In July, the Dutch assume the EU presidency and will pick up from the Irish on counter-terrorism, the Greater Middle East and the whole US-EU agenda. We need cooperation with the Netherlands both on TIP issues and these other profoundly important issues across the board.

16. (SBU) Both the facts and U.S. interests lead to the same conclusion, Mr. Secretary. I urge you to keep the Netherlands where it has been and belongs, in Tier 1.

Sobel